

REMARKS

Claims 1-13, 29-30 and 32-50 are pending in the present application. Claims 1-13, 29-30 and 32-50 have been rejected. No claims have been amended, canceled or added.

Rejections under 35 U.S.C. § 103

Claims 1-7, 10-13, 29-30 and 32-50 all stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,741,183 to Acres et al. ("Acres") in view of U.S. Patent No. 6,295,566 to Stufflebeam ("Stufflebeam"). In particular, the Final Office Action states, "It would have been obvious . . . to incorporate Stufflebeam's teaching into Acres's system," and reasserts that Acres affirmatively teaches various power supply properties, steps of switching off power and steps of providing second daughter boards and of replacing daughter boards. Applicants respectfully traverse these § 103 rejections.

Applicants initially submit that a *prima facie* case of obviousness has not been made for several reasons. To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or combine reference teachings. *See, e.g.*, MPEP § 2143. In addition, the proffered combination of prior art references must teach or suggest all of the claim limitations. *See id.* Applicants respectfully submit that neither of these requirements is met by the obviousness rejections as set forth in the Office Action. Applicants also submit that should a *prima facie* case of obviousness be established, that other factors and/or secondary considerations that serve to rebut such obviousness rejections can be provided. Applicants believe it to be unnecessary to present each of these additional factors and/or secondary considerations here, however, since the initial burden of making a *prima facie* case of obviousness has not yet been met, and because the presentation of such factors and considerations ordinarily involves a substantial amount of

resources and time. Accordingly, Applicants respectfully reserve the right to present such additional information should a *prima facie* case of obviousness be established.

No Motivation To Combine Within The Prior Art

The teaching or suggestion to make the claimed combination must be found in the prior art, and not based upon the disclosure of the Applicant. *See* MPEP § 2143. Also, the level of skill in the art cannot be relied upon to provide the suggestion to combine references, and the mere fact that references can possibly be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the claimed combination. *See* MPEP § 2143.01. Although the Final Office Action states that "It would have been obvious to one having ordinary skills in the art at the time the invention was made to incorporate Stufflebeam's teaching into Acres's system," the Final Office Action does not provide any motivation from within the prior art to make the proposed changes. Applicants respectfully submit that the pending § 103 rejections are deficient for at least this reason.

Applicants further submit that Stufflebeam constitutes non-analogous art with respect to the gaming machine industry, such that it is inappropriate to use this reference in a combination to render the presently claimed invention as obvious in any event. Traditionally, electronic gaming machines have not been manufactured as devices that are readily adapted to have many interchanged components or peripheral devices once such machines are built. Although there has been some desire within the gaming machine industry to model device compatibility after techniques that have been successfully implemented within the personal computer ("PC") industry, there are many reasons as to why similar techniques are not possible or practical in the manufacture of gaming machines and related components. Such reasons can include, for example, the strict regulatory requirements that are placed upon gaming machines; the harsh environment in which gaming machines operate; the more stringent security requirements required of gaming machines; and the stricter fault tolerance

requirements required of gaming machine systems, among others. Furthermore, techniques and methods for solving a problem in the PC industry, such as device compatibility and connectivity issues, might not be adequate in the gaming environment. Many faults tolerated in a PC, such as security holes or frequent crashes, may not be tolerated in a gaming machine, since such faults can lead to a loss of funds as a result of stolen cash, fraudulently procured jackpots, or loss of revenue when the gaming machine is inoperable and unavailable for play.

Other relevant and significant differences between gaming machine systems and common PC based systems also exist, which further detracts from the ability to combine a reference from a non-gaming art for purposes of obviousness. For example, the fact that gaming machines must typically be state-based systems affects many of the software and hardware designs on the gaming machine. In a state-based system, the system stores and maintains its current state in a non-volatile memory, such that the gaming machine will return to its current state when power is restored in the event of a power failure or other similar malfunction. For instance, if a player were shown an award for a game of chance, but the power failed before the award could be provided to the player, the gaming machine would return to the state where the award is indicated upon the restoration of power. PCs are not state machines, however, as a majority of current data is usually lost whenever a power failure or similar malfunction occurs. Another important difference between gaming machine systems and PC based systems is that the software used to generate a game of chance on and operate the gaming machine must, for regulation purposes, be designed as static and monolithic to prevent cheating by the operator of gaming machine. To gain approval in most gaming jurisdictions, a gaming machine must demonstrate sufficient safeguards that prevent an operator of the gaming machine from manipulating hardware and software in a manner that gives the operator an unfair or illegal advantage. The code validation requirements in the gaming industry affect both hardware and software designs on gaming machines.

As yet another important difference between systems, various peripherals such as coin dispensers, bill validators and ticket printers and computing devices that are used to govern the input and output of cash to a gaming machine have security requirements that are not typically addressed in PCs. Therefore, many PC techniques and methods developed to facilitate device connectivity and device compatibility do not address the emphasis placed on security in the gaming industry. Another difference with respect to gaming machine systems is that all software must be thoroughly tested, verified, and submitted for regulatory approval before it can be placed on a gaming machine. In addition, all such software must also then be tested in the field after placement on the gaming machine. The costs associated with developing and deploying a new device on a gaming machine can thus be quite high, especially where the operating characteristics of that new device are modified such that a new device driver is required.

Given these and other differences between gaming machine systems and PC systems, it is readily apparent why many solutions to problems involving device compatibility and interchangeability in PC systems may not be transferable to solve similar problems in gaming machine systems. Accordingly, Applicants respectfully submit that references regarding non-analogous art that do not deal with gaming machines and problems associated with gaming machines are inherently not references that one of ordinary skill in this art would use to solve problems associated with gaming machine. It follows then that use of such references should be carefully considered in determining what is obvious within the field of gaming machines, especially where such references (i.e., Stufflebeam) are not directly on point with the problems set forth and solutions claimed in the present case. In any event, Applicants respectfully submit that a motivation to combine the recited references in a manner so as to solve a *gaming machine* related problem has not been shown.

All Claim Limitations Not Within The Prior Art

In order to render a claim as obvious, a purported combination of references must also contain every material element of that claim. *See* MPEP § 2143. Although not yet required because the burden to establish non-obviousness does not switch to Applicants until a *prima facie* case of obviousness has been established, Applicants will nevertheless provide examples of claim limitations that do not appear to be within the recited prior art for the sake of furthering prosecution. Applicants also reiterate a previous point that the earlier claims were not anticipated by Acres *prior* to the clarifying amendments made in Applicants' last Response of July 19, 2004. In fact, many deficiencies in the previous rejections as detailed by Applicants in past responses still have yet to be addressed, and it appears that Stufflebeam has only been used to counter the minor clarifying amendments that were added in the most recent July 19 Response. Applicants respectfully submit that a failure even to address these many deficiencies is inappropriate, and assert that there is no acquiescence on the part of Applicants to any of these reasserted deficient rejections. To this extent, Applicants again respectfully incorporate by reference all remarks of all prior responses in this matter.

Applicants again reiterate that while it may be inherent for various items within Acres to have power connections, such power connections have never been shown to be affirmatively disclosed or discussed within Acres. Accordingly, many detailed properties and relationships of the various power connections or sources that may be inherent to Acres cannot be assumed, which materially affects many of the rejections that are being maintained in this Final Office Action. In this regard alone, the pending rejections with respect to claims 1, 11, 12, 29, 30, 49 and 50 remain inadequate in terms of specifically pointing out where the purported power source arrangements and details are allegedly taught by Acres. Applicants place added focus at this time on the reasserted rejections of claims 49 and 50 in particular, since the Final Office Action again asserts that "Acres discloses. . . switching off power

through said first power connection [and] maintaining power to said first daughter board via said second power connection during said step of switching off power,” and that “Acres discloses . . . providing a second daughter board in a second standard receptor slot of the main communication board.” Applicants are simply at a loss as to understand how these rejections have been maintained due to an alleged specific teaching of Acres. A further detailed explanation is respectfully requested.

Applicants also reassert that there remain several other claim elements within the pending independent claims that have not been shown to be affirmatively disclosed by Acres, such that Acres has not been shown to anticipate these claims for at least these additional separate reasons. Applicants respectfully submit that the failure of previous Office Actions to address these specific elements is not somehow cured through the mere repetition of the same exact rejections again with no further explanation in the present Final Office Action, as has been done. Again, these additional elements include at least those for:

- “at least one standard *receptor slot* for securing at least one other component to the main communication board,”
- “a daughter board plugged into said standard *receptor slot* of the main communication board,”
- “a daughter board . . . configured to *receive power from* the main communication board,”
- “*replacing* the first daughter board with a *second* [or third] daughter board in the first standard receptor slot of the main communication board,”
- “[another] daughter board [that] converts signals . . . to signals in a communications format, other than the first communication format,”
- “providing a *second daughter board* in a *second standard receptor slot* of the main communication board,” and
- “[another] daughter board [that] converts signals in a first communications format from the master gaming controller to signals in a *third communications format*.”

(emphases added). Applicants again submit that while the Final Office Action may purport to address each of these elements by pointing to various passages within Acres, that none of these passages affirmatively recites a receptor slot, a daughter board that receives power from a main board, the replacement of a daughter board with a different daughter board, a second daughter board in a second receptor slot, or the conversion of signals from a first to a second and third communication formats.

Applicants again note that several dependent claims now stand as rejected over passages in Acres that do not appear to disclose that which is being presently claimed. For example, claims 39 and 44 are again rejected in light of column 6 lines 27-67 of Acres. Applicants respectfully resubmit, however, that while Acres could certainly be used in conjunction with such an element, this passage does not affirmatively disclose the step of "communicating a signal to a remote gaming device . . . *when* money is accepted by the gaming machine." Similarly, claims 40-43 and 45-48 are again rejected in light of column 19 lines 25-61 and column 10 lines 41-67 of Acres. However, these passages of Acres disclose a floor controller having a communication board with eight microcontrollers that are connected in a daisy chain. Applicants respectfully submit that while the present invention could be practiced with the invention of Acres, that this is not the configuration that is being claimed in each of these recently added dependent claims requiring "a plurality of gaming machines connected as part of a daisy chain."

Furthermore, Applicants point out that Stuffbeam does not even cure the supposed defect of Acres, as alleged. Stuffbeam is directed toward a multi-branched PCI bus arrangement, with a plurality of PCI buses branching from one main PCI bus. There is no provision of a "main communication board" or receptor slots for daughterboards of varying communication formats, as is the focus of the present invention. Rather, the only formats and devices of interest to Stuffbeam are those of PCI based communications on PCI buses and

PCI bridges between PCI buses. As such, the problems addressed by Stufflebeam are not only not related to gaming industry issues, but are similarly not related to issues involving communication boards adapted to run multiple communication formats. Applicants submit that Stufflebeam is thus an inadequate reference for this additional reason as well.

For each of the foregoing reasons, Applicants respectfully request the withdrawal of the pending obviousness rejections, and that the pending claims be passed to issuance.

CONCLUSION

Applicants respectfully submit that all claims are in proper form and condition for patentability, and request a Notification of Allowance to that effect. It is believed that no fee is due at this time. Should any fee be required for any reason related to this paper or application, however, then the Commissioner is hereby authorized to charge said fee to Deposit Account No. 50-0388, referencing Docket No. IGT1P022. The Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below with any questions or concerns relating to this application.

Respectfully Submitted,
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